

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

THOMAS L. HABEL, DAVID
W. HERCZEG, KENNETH G.
MEERSCHAERT, SR., and
GEOFFREY E. SMITH,

Plaintiffs,

CIVIL ACTION NO. 04 CV 60160 AA

v.

DISTRICT JUDGE MARIANNE O. BATTANI

MACOMB TOWNSHIP, JOHN D.
BRENNAN, MICHAEL D. KOEHS,
and RAYMOND A. AHONEN,

MAGISTRATE JUDGE VIRGINIA MORGAN

Defendants.

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**ORDER DENYING PLAINTIFF'S MOTION TO
DETERMINE SUFFICIENCY OF DEFENDANTS'
RESPONSES TO REQUEST FOR ADMISSIONS**

This matter is before the court on Plaintiff's Motion to Determine Sufficiency of Defendants' Responses to Request for Admissions filed July 8, 2005 (D/E 33). A hearing on the motion was held before the magistrate judge on August 24, 2005. For the reasons stated on the record, IT IS ORDERED that the Motion IS DENIED. The court finds that the responses are sufficient and the requests are in large measure improper and not appropriate under Rule 36.

No costs to either side.

s/Virginia M. Morgan
VIRGINIA M. MORGAN
UNITED STATES MAGISTRATE JUDGE

Dated: September 8, 2005

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Proof of Service

The undersigned certifies that a copy of the foregoing order was served on the attorneys of record by electronic means or U.S. Mail on September 8, 2005.

s/Jennifer Hernandez
Case Manager to
Magistrate Judge Morgan